MR. CHAIRMAN: No slongans please ...*(Interruptions)*...

श्री लालू प्रसाद: बेशक 12 बजे तक कर दीजिए ...(व्यवधान)... ये सब से बड़ा सवाल है। ...(व्यवधान)...

---

## WRITTEN ANSWERS TO STARRED QUESTIONS

### Pending cases in High Courts and Subordinate Courts

*101. SHRI BALWANT SINGH RAMOOWALIA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the number of pending cases in various High Courts and Subordinate Courts in the country and the number of judges available to deal with them till 31st December, 2001;

(b) the norms fixed for the number of judges as per 5/10 lakh population; and

(c) the number of vacancies of judges lying vacant till date, State-wise, and by when it will be filled up, so as to dispose of pending cases in above mentioned court?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHI): (a) to (c) The number of cases pending in the High Courts and Subordinate Courts are given at Statement I and II respectively (*See* below). The position regarding availability and vacancies of Judges in the High Courts and Subordinate Courts is indicated at Statement III and IV respectively. (*See* below).

The judge strength in High Courts and Subordinate Courts is not based on population. The review of judge strength of High Courts is undertaken every three years with reference to the felt need for disposal of cases, taking into account the backlog and expected future filing.

For filling up the existinig vacancies of 134 Judges/Additional Judges in the High Courts, 71 proposals as on July 17, 2002, are at various stages of consideration. The filling up of vacancies in the High Courts is a consultative process among the Constitutional authorities. While every efforts is made to fill up the existing vacancies expeditously, vacancies

do keep on arising on account of retirement, resignation or elevation of Judges. Therefore, it is not feasible to indicate the exact time by which the vacant posts are likely to be filled up.

The Hon'ble Supreme Court, *vide* its judgement of 21st March, 2002 in All India Judges' Association & Ors. *Vs* Union of India & Ors., has directed that the increase in the judge strength of Subordinate Courts to 50 judges per 10 lakh people should be effected and implemented with the filling up of the posts in a phased manner within a period of five years from the date of judgement.

As regards District/Subordinate Courts, the Supreme Court, in All India Judges' Association & Ors. *Vs.* Union of India & Ors., has directed that the existinig vacancies in the Subordinate Courts at all levels should be filled if possible latest by 31st March, 2003, in all the State. Minister of Law, Justice & Company Affairs *vide* his letter dated 26th April, 2002 has written to all the State Governments for taking early steps for filling up vacancies in the Subordinate Courts on priority. As regards Union Territories, necessary action has been initiated by the Central Government.

***Statement I***

*Number of cases pending in various High Court in the country (Based on the quarterly reports received from High Courts)*

| Sl. No. | Name of the High Court | Number of cases pending | As on |
|---|---|---|---|
| 1. | Allahabad | 8,92,622 | 12/2001 |
| 2. | Andhra Pradesh | 1,63,127 | 12/2001 |
| 3. | Bombay | 2,93,280 | 9/2001 |
| 4. | Calcutta | 2,66,711 | 9/2001 |
| 5. | Delhi | 1,78,001 | 12/2000 |
| 6. | Guwahati | 41,317 | 3/2001 |
| 7. | Gujarat | 1,29,026 | 1.6.2002 |
| 8. | Himachal Pradesh | 17,947 | 3/2002 |
| 9. | Jammu & Kashmir | 33,365 | 3/2002 |
| 10. | Karnataka | 1,02,648 | 30.6.2002 |
| 11. | Kerala | 4,21,337 | 12/2001 |

| Sl. No. | Name of the High Court | Number of cases pending | As on |
|---|---|---|---|
| 12. | Madhya Pradesh | 1,17,141 | 6/2001 |
| 13. | Madras | 3,49,836 | 6/2001 |
| 14. | Orissa | 1,47,813 | 3/2002 |
| 15. | Patna | 80,956 | 12/2001 |
| 16. | Punjab and Haryana | 2,23,757 | 12/2001 |
| 17. | Rajasthan | 1,32,306 | 12/2000 |
| 18. | Sikkim | 117 | 12/2001 |
| 19. | Chhattisgarh | (Newly created High Court) | |
| 20. | Jharkhand | 18,552 | 12/2001 |
| 21. | Uttaranchal | (Newly created High Court) | |
| | TOTAL: | 36,20,859 | |

***Statement II***

*State-wise pendency of cases in the Distict/subordinate Courts*

| S. No. | Name of States/UTs | As on | Civil | Criminal | Total |
|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 |
| 1. | Andhra Pradesh | 12/2001 | 542744 | 388388 | 931132 |
| 2. | Arunachal Pradesh | 06/99 | 331 | 1469 | 1800 |
| 3. | Assam | 06/2001 | 37229 | 118424 | 155653 |
| 4. | Bihar | 06/2001 | 207417 | 809789 | 1017206 |
| 5. | Chhattisgarh | 06/2001 | 51994 | 157620 | 209614 |
| 6. | Goa | 06/2001 | 26132 | 11732 | 37864 |
| 7. | Gujarat | 06/2001 | 704725 | 2357496 | 3062221 |
| 8. | Harayana | 06/2001 | 197809 | 305606 | 503415 |
| 9. | Himachal Pradesh | 06/2001 | 69976 | 73194 | 143170 |
| 10. | Jammu & Kashmir | 12/99 | 43418 | 82596 | 126014 |
| 11. | Karantaka | 12/2001 | 592380 | 398960 | 991340 |
| 12. | Kerala | 12/2001 | 229714 | 437266 | 666980 |
| 13. | Madhya Pradesh | 12/2000 | 298564 | 853223 | 1151787 |
| 14. | Maharashtra | 12/2001 | 924757 | 2130671 | 3055428 |
| 15. | Manipur | 12/2000 | 4278 | 3487 | 7765 |

| 1 | 2 | 3 | 4 | 5 | 6 |
|---|---|---|---|---|---|
| 16. | Meghalaya | 12/99 | 1561 | 11322 | 12883 |
| 17. | Mizoram | 12/2000 | 817 | 986 | 1803 |
| 18. | Nagaland | | —Note available— | | |
| 19. | Orissa | 12/2000 | 135457 | 556759 | 692216 |
| 20. | Punjab | 06/2000 | 209975 | 249479 | 459454 |
| 21. | Rajasthan | 06/2001 | 274277 | 558083 | 832360 |
| 22. | Sikkim | 12/98 | 467 | 1352 | 1819 |
| 23. | Tamil Nadu | 06/2001 | 593703 | 267601 | 861304 |
| 24. | Tripura | 12/2001 | 7313 | 14957 | 22270 |
| 25. | Uttar Pradesh | 06/2001 | 1073234 | 2431929 | 3505163 |
| 26. | West Bengal | 12/99 | 473325 | 861754 | 1335079 |
| 27. | And. & Nicobar | 12/99 | 580 | 26790 | 27370 |
| 28. | Chandigarh | 06/2000 | 15215 | 33349 | 48564 |
| 29. | Dadra & N. Haveli | 12/2001 | 429 | 2096 | 2525 |
| 30. | Daman & Diu | 12/2000 | 642 | 742 | 1384 |
| 31. | Delhi | 12/2001 | 146398 | 451789 | 598187 |
| 32. | Lakshadweep | 12/2000 | 87 | 104 | 191 |
| 33. | Pondicherry | 06/2001 | 6204 | 7239 | 1343 |
| | TOTAL : | | | | 20477404 |

## *Statement-III*

*Statement Showing the Approved Strength, Judges in Position and Number of Posts available in the High Courts*

| Sl. No. | Name of High Court | Approved Strength | Judges in Position | Number of Posts Vacant in the High Court as on 17.07.2002 |
|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 |
| 1. | Allahabad | 95 | 62 | 36 |
| 2. | Andhra Pradesh | 39 | 32 | 7 |
| 3. | Bombay | 60 | 52 | 8 |
| 4. | Calcutta | 50 | 42 | 8 |
| 5. | Chhattisgarh | 6 | 3 | 3 |
| 6. | Delhi | 33 | 30 | 3 |

| 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|
| 7. | Guwahati | 19 | 15 | 4 |
| 8. | Gujarat | 42 | 32 | 10 |
| 9. | Himachal Pradesh | 8 | 7 | 1 |
| 10. | Jammu & Kashmir | 14 | 9 | 4 |
| 11. | Jharkhand | 12 | 10 | 2 |
| 12. | Karnataka | 40 | 32 | 8 |
| 13. | Kerala | 29 | 23 | 6 |
| 14. | Madhya Pradesh | 29 | 25 | 4 |
| 15. | Madras | 42 | 31 | 11 |
| 16. | Orissa | 16 | 13 | 3 |
| 17. | Patna | 31 | 23 | 8 |
| 18. | Punjab & Haryana | 40 | 32 | 8 |
| 19. | Rajasthan | 32 | 27 | 6 |
| 20. | Sikkim | 3 | 1 | 2 |
| 21. | Uttaranchal | 7 | 3 | 4 |
| | TOTAL : | 647 | 503 | 144 |

***Statement-IV***

*Statement Showing the Sanctioned/Working Strength and Vacant Posts of Judicial Officers in District/Subordinate Courts*

| Sl. No. | Name of States/UTs. | Sanctioned | Working | Vacant | As on |
|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 |
| 1. | Andhra Pradesh | 776 | 713 | 63 | Dec' 01 |
| 2. | Arunachal Pradesh | 293 | 293 | 0 | Dec' 98 |
| 3. | Assam | 259 | 205 | 54 | Jun' 01 |
| 4. | Bihar | 1137 | 940 | 197 | May' 02 |
| 5. | Goa | 44 | 39 | 5 | Jun' 01 |
| 6. | Gujarat | 636 | 581 | 55 | Jun' 01 |
| 7. | Haryana | 266 | 233 | 33 | Jun' 00 |
| 8. | Himachal Pradesh | 98 | 93 | 5 | Jun' 01 |
| 9. | Jammu & Kashmir | 156 | 141 | 15 | Jun' 01 |
| 10. | Karnataka | 733 | 676 | 57 | May' 02 |
| 11. | Kerala | 370 | 369 | 01 | Jun' 01 |
| 12. | Madhya Pradesh | 792 | 654 | 138 | May' 02 |

| 1 | 2 | 3 | 4 | 5 | 6 |
|---|---|---|---|---|---|
| 13. | Maharashtra | 1285 | 1156 | 129 | Jun' 01 |
| 14. | Manipur | 32 | 28 | 4 | Jun' 01 |
| 15. | Meghalaya | 7 | 6 | 1 | Jun' 00 |
| 16. | Mizoram | 35 | 21 | 14 | Jun' 01 |
| 17. | Nagaland | 21 | 21 | 0 | Jun' 00 |
| 18 | Orissa | 483 | 404 | 79 | Jun' 01 |
| [illegible] | Punjab | 301 | 279 | 22 | Jun' 01 |
| 20. | Rajasthan | 790 | 663 | 127 | Jun' 01 |
| 21. | Sikkim | 12 | 9 | 3 | Jun' 01 |
| 22. | Tamil Nadu | 767 | 699 | 68 | Jun' 01 |
| 23. | Tripura | 74 | 55 | 19 | Dec' 01 |
| 24. | Uttar Pradesh | 2136 | 1592 | 544 | May' 02 |
| 25. | West Bengal | 588 | 507 | 81 | Jun' 01 |
| 26. | And. & Nicobar | 8 | 8 | 0 | Jun' 01 |
| 27. | Chandigarh | 19 | 19 | 0 | Jun' 01 |
| 28. | Dadra & N. Hevali | 3 | 3 | 0 | Dec' 00 |
| 29. | Daman & Diu | 2 | 2 | 0 | Dec' 00 |
| 30. | Delhi | 407 | 216 | 191 | Dec' 01 |
| 31. | Lakshadweep | 3 | 3 | 0 | Jun' 01 |
| 32. | Pondicherry | 19 | 14 | 5 | Jun' 01 |
| 33. | Jharkhand | 533 | 370 | 163 | Jun' 01 |
| 34. | Chhattisgarh | 190 | 175 | 15 | Jun' 01 |
| 35. | Uttaranchal | 183 | 55 | 128 | Jun' 02 |
| | TOTAL: | 13458 | 11242 | 2216 | |

**Expensive cancer treatment**

*102. SHRI RAJU PARMAR:
SHRI BHAGATRAM MANHAR:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that treatment of cancer in the country is very expensive and is beyod the reach of poor and middle class people'

(b) if so, whether Government have any plan to ensure that poor patients suffering from cancer are given treatment at nominal cost at